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IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 573 /2006 SINGLE BENCH

PETITIONER :

Lakhan Lal
S/o Shri Dhanau Ram Maravi
Aged about 35 years
Sarpanch,
Gram Panchayat Kanjheta
Tehsil Panderiya
R/o Village Kanghata
Post Kotegaon, Tehsil Panderiya
Dist. Kawardha
Chhattisgarh

P.R. No. 1652/06
Presented by Shri Sanjay Agrawal Adv.
dated 28/3/06

VERSUS

RESPONDENTS :

1. State of Chhattisgarh
   Through the Secretary
   Department of Panchayat and Rural Development
   D.K.S. Bhawan, Mantralaya
   Raipur, Chhattisgarh

2. Collector
   District Kawardha
   Chhattisgarh

3. Sub-Divisional Officer
   Tehsil Panderiya
   Dist. Kawardha
   Chhattisgarh

4. Chief Executive Officer
   Janpad Panchayat Pandariya
   Tehsil Pandariya
   Dist. Kawardha
   Chhattisgarh

5. Secretary
   Janpad Panchayat Pandariya
   Tehsil Pandariya
   Dist. Kawardha
   Chhattisgarh

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28.3.06
H.C.G. BILASPUR

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT IN THE NATURE OF MANDAMUS, CERTIORARI AND FOR ISSUANCE OF OTHER SUITABLE WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERS

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P. No. 1593

मामला क्रमांक ..... सन् 2006

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	05.04.2006 Shri Sanjay Kumar Agrawal, counsel for petitioner. Shri Akhil Agrawal, Panel Lawyer for respondents. Heard on admission and on M.(W).P. No. 1218/2006 and M.(W).P. No. 1374/2006. Learned counsel for petitioner contended that seven members of the Gram Panchayat, Kanjheta, have not complied with the statutory direction which requires construction of pour flush latrine. Petitioner being Sarpanch made a report to respondent No.2 on 14/02/2006 regarding non-compliance of the aforesaid statutory direction by members of the Panchayat. Therefore, all the members of the Panchayat have joined their hands and in order to take revenge are interested in success of no confidence motion. He further contended that in no confidence motion, Presiding Officer will not allow the petitioner to speak. Per contra, learned Panel Lawyer contended that the proceedings of the prescribed authority are in accordance with law and law itself permits the petitioner to speak or otherwise to take part in the proceeding of the meeting. From bare reading of Section 21(2) of the C.G. Panchayat Raj Adhiniyam, 1993, it is evident that; "Sarpanch or Up-sarpanch as the case may be shall have right to speak at, or otherwise to take part in, the proceeding of the meeting".	

देखिये

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P. No. 1593

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	From the averment made in the petition and contention raised by the petitioner during argument, there appears nothing, which may call for any interference at this juncture by this Court. Therefore, the petition is liable to be dismissed summarily and is accordingly dismissed. M(W)P No. 1218/2006, M.(W).P. No. 1374/2006 and I.A. No. 3357/2006 stand disposed of. Sd/- V.K.Shrivastava Judge	
kvr		

[पीछे देखिये